

DRAFT

REMARKS

In light of the following remarks and above amendments, reconsideration and allowance of this application are respectfully requested.

It is submitted that these claims, as originally presented, are patentably distinct over the prior art cited by the Examiner, and that these claims were in full compliance with the requirements of 35 USC §112. Changes to these claims, as presented herein, are not made for the purpose of patentability within the meaning of 35 U.S.C. §101, §102, §103, or §112. Rather, these changes are made simply for clarification and to round out the scope of protection to which Applicant is entitled.

Claims 1-13 and 37-42 and amended claims 14 and 43 are in this application.

Claim 54 is newly added.

Applicant has amended the specification in order to clarify that figure 15 consists of two figures, Fig. 15A and Fig 15B.

At paragraph 3 of the outstanding Final Office Action of December 2, 2003, the Examiner rejected claims 1-5, 10, 13, 14, 37-39, 42 and 43 under 35 U.S.C. § 102(e) as being anticipated by Yamagami (U.S. Application 2002/0033888 A1). Applicant respectfully traverses the rejection.

Independent claim 1, recites in part, “A recording/reproducing apparatus comprising...control means for controlling recording/reproducing between said first and second recording mediums.” (Underlining and Bold added for emphasis.)

It is respectfully submitted that Yamagami does not teach the above-recited feature of independent claim 1. Yamagami teaches performing a read/write operation to a first recording media 108 and to a second recording media 118 (page 2, paragraph 0030). However,

these two recording media do not seem to communicate with each other, as in independent claim 1. For instance, at page 3, paragraph 0048 of Yamagami, it states that the read/write operation of the detachable recording media 118 is attached to a host computer 115 in order to acquire attribute information from the host computer. Further, when the camera receives the detachable recording media 108 (not 118), the attribute information may then be stored in an image file of the recording media. Therefore, in Yamagami, as best understood, the two recording media do not directly communicate with each other, as is the case in the present invention. Yamagami stresses the compatibility of effectively recording attribute information to each recording media. Furthermore, the camera recording/reproducing apparatus in Yamagami never has two writing means as a part thereof. Rather, the second writing means is shown as coupled to a multi-purpose computer.

In contrast, the present invention stresses the compatibility of direct communication between the two recording mediums. Furthermore, the two writing means are effectively part of the camera. To summarize, the controlling means of independent claim 1 controls the recording/reproducing between the first and second recording mediums, which can be directly connected to each other. Therefore independent claim 1 is believed to be distinguishable from Yamagami.

For reasons similar to those described above with regard to independent claim 1, independent claims 13, 37 and 42 are also believed to be distinguishable from Yamagami.

Further, claims 2-5, 10, 14, 38, 39 and 43 depend either directly or indirectly from one of independent claims 13, 37 and 42 and, due to such dependency, are also believed to be distinguishable from Yamagami for at least the reasons previously described. Therefore, claims 2-5, 10, 14, 38, 39 and 43 are believed to be distinguishable from Yamagami.

Applicant therefore respectfully requests the rejection of claims 1-5, 10, 13, 14, 37-39, 42 and 43 under 35 U.S.C. §102(e) be withdrawn.

At paragraph 5 of the outstanding Final Office Action of December 2, 2003, the Examiner rejected claims 7-9 under 35 U.S.C. § 103(a) as being unpatentable over Yamagami (U.S. Application 2002/0033888 A1). Applicant respectfully traverses the rejection.

Claim 7-9 depend from independent claim 1 and, due to such dependency, are also believed to be distinguishable from Yamagami for at least the reasons previously described. Therefore, claims 7-9 are believed to be distinguishable from Yamagami.

Applicant therefore respectfully requests the rejection of claims 7-9 under 35 U.S.C. §103(a) be withdrawn.

At paragraph 6 of the outstanding Final Office Action of December 2, 2003, the Examiner rejected claim 6 under 35 U.S.C. § 103(a) as being unpatentable over Yamagami in view of Spitzer et al. (U.S. Application 2001/0012067). Applicant respectfully traverses the rejection.

Claim 6 depends from independent claim 1 and, due to such dependency, is also believed to be distinguishable from Yamagami for at least the reasons previously described. The Examiner did not rely on Spitzer to overcome the above-identified deficiencies of Yamagami. Therefore, claim 6 is believed to be distinguishable from the applied combination of Yamagami and Spitzer.

Applicant therefore respectfully requests the rejection of claim 6 under 35 U.S.C. §103(a) be withdrawn.

At paragraph 7 of the outstanding Final Office Action of December 2, 2003, the Examiner rejected claims 11, 12, 40 and 41 under 35 U.S.C. § 103(a) as being unpatentable over

Yamagami in view of Hong (U.S. Patent No. 5,257,142). Applicant respectfully traverses the rejection.

Claims 11, 12, 40 and 41 depend from independent claim 1 and, due to such dependency, are also believed to be distinguishable from Yamagami for at least the reasons previously described. The Examiner did not rely on Hong to overcome the above-identified deficiencies of Yamagami. Therefore, claims 11, 12, 40 and 41 are believed to be distinguishable from the applied combination of Yamagami and Hong.

Applicant therefore respectfully requests the rejection of claim 6 under 35 U.S.C. §103(a) be withdrawn.

Applicant has further added new claim 54. Applicant submits that the 35 U.S.C. 102(e)/103(a) rejections relied upon by the Examiner do not apply to claim 54, and submits that the rejection of this claim over 35 U.S.C. 102(e)/103(a) would be improper.

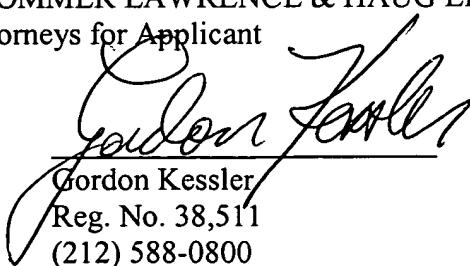
It is to be appreciated that the foregoing comments concerning the disclosures in the cited prior art represent the present opinions of the applicants undersigned attorney and, in the event, that the Examiner disagrees with any such opinions, it is requested that the Examiner indicate where in the reference or references, there is the bases for a contrary view.

Please charge any fees incurred by reason of this response and not paid herewith to Deposit Account No. 50-0320.

Respectfully submitted,

FROMMER LAWRENCE & HAUG LLP  
Attorneys for Applicant

By:

  
Gordon Kessler  
Reg. No. 38,511  
(212) 588-0800